

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

LAURA MOORE, Personal Representative of) Civil Action No. 2:16-cv-2360-MBS
the Estate of Ethel Lance,)
)
Plaintiff,)
)
v.) **PETITION TO APPROVE**
) **SETTLEMENT FOR**
) **SURVIVAL AND WRONGFUL DEATH**
THE UNITED STATES OF AMERICA,)
)
Defendant.)
)

The duly appointed Personal Representative of the Estate of Ethel Lance petitions the Court pursuant to the Federal Tort Claim Act (FTCA) and S.C. Code Ann. § 15-51-42 for approval of the proposed settlement of a wrongful death and survival action, and would show unto this Honorable Court as follows:

1. The Personal Representative has reached a proposed settlement with Defendant for wrongful death and survival as set forth in this Petition. That proposed settlement is memorialized in the Stipulation for Compromise Settlement and Release of Federal Tort Claims Act Claims Pursuant to 28 U.S.C. § 2677, attached as **Exhibit A** hereto.

2. Ethel Lance (the “Decedent”) was a victim of the Mother Emanuel murder and died as a result of gunshot wounds on or about June 17, 2015, in Charleston, South Carolina, and brought claims against Defendant as more fully set forth in the Complaint and Amended Complaint on file herein.

3. Defendant denies any liability with respect to the claims and death of the Decedent but has negotiated the settlement herein as a reasonable compromise of disputed claims.

4. Defendant is not insured for claims such as that presented by the Decedent but allows for such claim under the FTCA.

5. The terms of the proposed settlement include the payment of \$6,000,000.00 to be disbursed as set forth on **Exhibit B** for the survival and wrongful death actions.

6. The statutory beneficiaries of the Decedent under the wrongful death statute are Sharon Risher and Nadine Collier, surviving daughters.

7. The Personal Representative set forth below has retained counsel listed below and agreed they shall charge the sum of \$1,125,000.00, which is less than 25% of the amount recovered, for attorney's fees and \$17,099.07 for costs as set forth on **Exhibit B** attached hereto.

8. The Petitioner believes the settlement is in the best interest of the Estate and beneficiaries.

WHEREFORE, the duly authorized Personal Representative of the Estate of Ethel Lance petitions this Court as follows:

1. to approve the proposed settlement with Defendant in the amount of \$6,000,000.00, and subject to all terms and conditions set forth in the Stipulation for Compromise Settlement and Release of Federal Tort Claims Act Claims Pursuant to 28 U.S.C. § 2677, attached hereto as **Exhibit A**, payable for the survival and wrongful death actions, as set forth in this Petition and to execute such further documents as necessary to effectuate settlement;

2. to relieve and discharge Defendant from further liability and all obligations or legal duties to see to the appropriate or proper distribution of the settlement proceeds in accordance the FTCA and with S.C. Code Ann. §15-51-42(E);

3. for an Order providing that, upon payment, the obligations of Defendant be fully and completely released and finally and forever discharged from any further responsibility in connection with the death of Ethel Lance; and

4. for an order that attorneys' fees and disbursements as set forth in **Exhibit B** be approved and that the settlement proceeds be distributed as set forth on **Exhibit B**.

RESPECTFULLY SUBMITTED,

By: s/Gedney M. Howe, III

SAVAGE LAW FIRM

Andrew J. Savage, III (Fed Bar #3734)

15 Prioleau Street

Charleston, SC 29401

Phone: 843-720-7470

Fax: 843-720-7478

Andy@savlaw.com

LAW OFFICES OF GEDNEY M. HOWE, III, PA

Gedney M. Howe, III (Fed Bar #1971)

PO Box 1034

Charleston, SC 29402

Phone: 843-722-8048

Fax: 843-722-2140

ghowe@gedneyhowe.com

STROM LAW FIRM

Bakari T. Sellers (Fed Bar #11099)

6923 N. Trenholm Road, Ste. 200

Columbia, SC 29206

Phone: 803-252-4800

bsellers@stromlaw.com

RICHARD A. HARPOOTLIAN, PA

Richard A. Harpootlian (Fed Bar #1730)

PO Boxes 1090

Columbia, SC 29202

Phone: 803-252-4848

Rah@harpootlianlaw.com

Attorneys for Plaintiff

Charleston, South Carolina

October 28, 2021

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

VERIFICATION

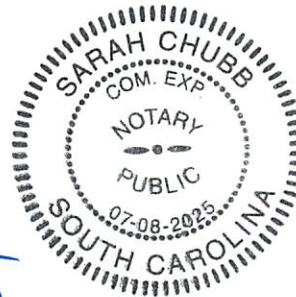
PERSONALLY APPEARED BEFORE ME, Laura Moore, in her capacity as Personal Representative of the Estate of Ethel Lance, who being duly sworn, deposes and says that she is the Petitioner in the foregoing action; that she has read the Petition to Approve Settlement for Survival and Wrongful Death, and the same is true and correct of her own knowledge, save and except those matters and things therein alleged on information and belief; and, as to those matters and things, she believes the same to be true and correct.

John W. Moore

LAURA MOORE, PERSONAL
REPRESENTATIVE OF THE ESTATE OF
ETHEL LANCE

SWORN TO and subscribed before me this
27th day of October, 2021.


Notary Public for South Carolina



My Commission Expires: July 8, 2025

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

LAURA MOORE, Personal Representative of)	Civil Action No. 2:16-cv-2360-MBS
the Estate of Ethel Lance,)	
)	
Plaintiff,)	
)	CERTIFICATION OF
v.)	LEGAL COUNSEL
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	
_____)	

I, Andrew J. Savage, III, attorney for Claimant Laura Moore as Personal Representative of the Estate of Ethel Lance, certifies as follows:

1. I have read the Petition to Approve Settlement for Survival and Wrongful Death.
2. I am of the opinion that the settlement is fair and reasonable and in the best interest of the wrongful death statutory beneficiaries and the Estate of Ethel Lance.

By: s/Andrew J. Savage, III (with permission)

SAVAGE LAW FIRM
Andrew J. Savage, III (Fed Bar #3734)
15 Prioleau Street
Charleston, SC 29401
Phone: 843-720-7470
Fax: 843-720-7478
Andy@savlaw.com

LAW OFFICES OF GEDNEY M. HOWE, III, PA
Gedney M. Howe, III (Fed Bar #1971)
PO Box 1034
Charleston, SC 29402
Phone: 843-722-8048
Fax: 843-722-2140
ghowe@gedneyhowe.com

STROM LAW FIRM

Bakari T. Sellers (Fed Bar #11099)

6923 N. Trenholm Road, Ste. 200

Columbia, SC 29206

Phone: 803-252-4800

bsellers@stromlaw.com

RICHARD A. HARPOOTLIAN, PA

Richard A. Harpootlian (Fed Bar #1730)

PO Boxes 1090

Columbia, SC 29202

Phone: 803-252-4848

Rah@harpootlianlaw.com

Charleston, South Carolina

October 28, 2021